



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Hiroaki MASAOKA

Group Art Unit: 3729

Application No.: 09/987,416

Examiner: A. Tugbang

Filed: November 14, 2001

Docket No.: 111107

For: METHOD AND APPARATUS FOR CONFIRMING CONNECTION OF A
TERMINAL CONNECTING PORTION

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the April 7, 2004 Restriction Requirement, Applicant provisionally elects
Group 2, claims 2-6, with traverse.

According to the Patent Office, the process of Group I can be practiced by hand and
because of this the invention of claim 1 is allegedly distinct from the invention of claim 2.
Applicant respectfully disagrees.

First, Applicant respectfully submits that the invention of claims 1 and 2 both include
the requirement of confirming the connection of a terminal connecting portion. In fact, both
claims 1 and 2 identically recite "confirming connection of a terminal connecting portion in
which a plurality of male terminals are inserted respectively into a plurality of female
terminals to make an electrical connection therebetween." Applicant respectfully submits that
claim 1 should therefore be included in the elected group of claims.

Second, the recited steps of claim 1 cannot be performed by hand. For example, claim 1 recites a method step of "detecting a state where all of said movable elements in said to-be-connected female terminals are moved respectively to said conduction positions by a conduction test device." Performing this recited step requires a conduction test device and cannot be practiced by hand as alleged by the Patent Office. In addition, the conduction test device recited in claim 1 is a recited element of the apparatus of claim 2. Thus, the inventions of claims 1 and 2 are related and not distinct. For these reasons, Applicant submits that claim 1 should be examined with the elected claims.

Finally, it is also respectfully submitted that the subject matter of all claims 1-6 is sufficiently related that a thorough search for the subject matter of any one Group of claims would encompass a search for the subject matter of the remaining claims. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is stated that "if the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions" (emphasis added). It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicant and duplicative examination by the Patent Office.

Thus, withdrawal of the Restriction Requirement is respectfully requested.

Respectfully submitted,



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Date: May 5, 2004

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